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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Oscar Millan,

Petitioner,

v.

J. Monarez, III,

Respondent.

No. CV-23-02045-PHX-JAT

ORDER

Pending before the Court is a Report and Recommendation (“R&R”) from the Magistrate Judge to whom this case was referred recommending that this Court dismiss this case for lack of subject matter jurisdiction. (Doc. 11). Neither party has filed objections to the R&R, and the time to object has expired.

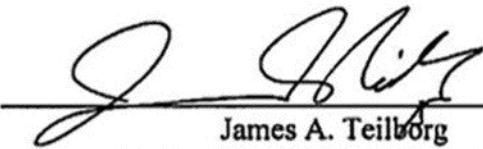
The Court hereby accepts the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not required to conduct “any review at all . . . of any issue that is not the subject of an objection”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) (“statute makes it clear that the district judge must review the magistrate judge’s findings and recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

Accordingly,

IT IS ORDERED that the Magistrate Judge’s Report and Recommendation (Doc. 11) is accepted (except as modified in footnote 1 herein) and adopted;

1 **IT IS FURTHER ORDERED** that Petitioner's Petition pursuant to 28 U.S.C. §
2 2241 is denied and dismissed with prejudice.¹ The Clerk of the Court shall enter judgment
3 accordingly.

4 Dated this 6th day of September, 2024.

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9 James A. Teilborg
10 Senior United States District Judge
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28 ¹ No certificate of appealability is necessary to appeal under this statute. *See Forde v. U.S. Parole Comm'n*, 114 F.3d 878, 879 (9th Cir. 1997).